

## Affidavit of Publication

State of New Mexico  
County of Rio Arriba

I, Robert Trapp, being first duly sworn, declare and say I am the publisher of the Rio Grande SUN, a weekly newspaper published in the English language and having a general circulation in the County of Rio Arriba, State of New Mexico, and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 of the Session Laws of 1937. The publication, a copy of which is hereto attached, was published in said paper once each week for

### Publisher's Bill

1092 lines one time at \$484.40  
1092 lines 3 times at \$1245.00

Affidavit \$5.00

Subtotal \$1,735.00

Tax \$142.04

Total \$1,877.04

4 consecutive weeks and on the same day of each week in the regular issue of the paper during the time of publication and the notice was published in the newspaper proper, and not in any supplement. The first publication being on the 3 day of July, 2014 and the last publication on the 24 day of July, 2014 payment for said advertisement has been duly made, or assessed as court costs. The undersigned has personal knowledge of the matters and things set forth in this affidavit.

Robert Trapp  
Publisher

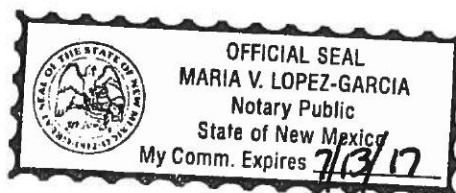
Payment received at Rio Grande SUN

Date June 11, 2014

By [Signature]

Subscribed and sworn to before me this 24 day of July A.D. 2014

[Signature]  
Maria V. Lopez-Garcia Notary Public  
My commission expires 13 July 2017





**IN THE  
UNITED STATES  
DISTRICT COURT  
FOR THE DISTRICT  
OF NEW MEXICO  
STATE OF  
NEW MEXICO,  
EX REL.  
STATE ENGINEER  
PLAINTIFF,  
VS.  
ROMAN ARAGON,  
ET AL.,**

**DEFENDANTS.  
69CV07941-MV/LFG  
RIO CHAMA STREAM  
SYSTEM  
SECTION 3,  
CANJILON CREEK  
PUBLIC NOTICE  
AND ORDER TO  
SHOW CAUSE**

TO ALL CLAIMANTS,  
KNOWN, AND UN-  
KNOWN, WHO CLAIM A  
RIGHT TO USE THE  
SURFACE OR UNDER-  
GROUND WATERS OF  
THE CANJILON CREEK  
SUBSECTION OF SEC-  
TION 3 OF THE RIO  
CHAMA STREAM SYS-  
TEM.

AND TO ALL OF THE  
FOLLOWING WHO  
CLAIM A RIGHT TO  
USE SURFACE OR  
GROUND WATER IN  
THE CANJILON CREEK  
SUBSECTION OF SEC-  
TION 3 OF THE RIO  
CHAMA STREAM SYS-  
TEM FOR IRRIGATION  
PURPOSES AND  
WHOSE NAMES AP-  
PEAR BELOW:

**SPRING NO. 3 DITCH  
PRIORITY**

1906

**Defendants:** Donald  
Martinez.

**SPRING NO. 4 DITCH  
PRIORITY**

1906

**Defendants:** Donald  
Martinez.

**SPRING NO. 5 DITCH  
PRIORITY**

1906

**Defendants:** Donald  
Martinez.

**MARTINEZ UNNAMED  
DITCH  
PRIORITY**

1906

**Defendants:** Donald  
Martinez.

**UNKNOWN DITCH  
PRIORITY**

1919

**Defendants:** Placido  
Borrego, Alfred J. Cha-  
vez, Sarah Chavez, Don-  
ald Martinez, Anita B.  
Scarborough-Trustee,  
George M. Scarborough-  
Trustee, Tony Scarbor-  
ough, Scarborough Liv-  
ing-Trust.

**ORTIZ DITCH NO. 1**

**PRIORITY**

1899

**Defendants:** Carlos W.  
Lujan, Augustine Ortiz,  
Marcia Ortiz, John Greg-  
ory Valdez.

**ORTIZ DITCH NO. 2**

**PRIORITY**

1899

**Defendants:** Placido  
Borrego, Augustine Ortiz.

**ORTIZ DITCH NO. 3**

**PRIORITY**

1899

**Defendants:** Augustine  
Ortiz.

**ORTIZ DITCH NO. 4**

**PRIORITY**

1895

**Defendants:** Kurt Gram-  
moll.

oll, Carlos W. Lujan,  
Marcia Ortiz.

**ORTIZ DITCH NO. 5**

**PRIORITY**

1895

**Defendants:** Kurt  
Grammoll.

**BORDO DITCH  
PRIORITY**

1888

**Defendants:** Tammy M.  
Bacca, Jo Ann Gallegos,  
Carlos A. Garcia, Cindy  
Garcia, Deluvina Garcia,  
Francisco Leroy Garcia,  
Orlando Garcia, Ortance  
Garcia, Pamela Garcia,  
Rafael Garcia, Teodoro  
Garcia, Geraldine Marti-  
nez A/K/A Geraldine N.  
Valdez, Lucella M. Gon-  
zalez, Renea P. Gonza-  
lez, Reynaldo Gonzales,  
Kurt Gramoll, Simon and  
Teodora Hernandez  
Family Trust, Raymond  
Jaramillo, Victor Jaramil-  
lo, Leroy Lopez, Jose  
Modesto Madrid, Fermin  
Maes, Antonio Maestas,  
Cipriano Maez, Pauline  
Maez, Alfonso A. Manza-  
nares, Maria Gloria Man-  
zanarez, Ramon A. Man-  
zanarez, Dolores Marti-  
nez, Donald Martinez,  
Dorothy Martinez, Jake  
Martinez, Melissa Marti-  
nez, Praxedes Marti-  
nez, Ray Martinez, Ri-  
chard Martinez, Ross A.  
Martinez Jr., Sylvia Mar-  
tinez, Joseph G. Medina,  
Ballon Montano, Chris  
Montano, Donald Monta-  
no, Florencio Montano,  
Genoveva Montano, Gil-  
bert Montano, Jacob D.  
Montano, Jose P. Monta-  
no, Lawrence G. Monta-  
no, Luggie Montano,  
Robert M. Montano, Tho-  
mas Montano, Tomacita  
O. Montano, Judy Mo-  
rales, Moises Morales  
Jr., Ray G. Morales, Ro-  
salena Morales, Ernestina  
C. Ortega, Ernestina  
V. Rivera, Flora M. Ri-  
vera, Leo E. Rivera, Ray-  
mond Rivera, Jose C.  
Rodriguez, Sally M. Ro-  
driguez, Agripina Sala-  
zar, Josephina G. Sala-  
zar, Victor Salazar, Aga-  
pito Sanchez, Barbara  
Sanchez, Beulah San-  
chez, Danny Sanchez,  
Priscilla Sanchez,  
Charles Sandoval, Dia-  
nne R. Sandoval, John  
A. Serrano, John J. Ser-  
rano, Samuel S. Serra-  
no, Sandra C. Serrano,  
Mike Soberanez, Onofre  
Soberanez, William H.  
Storey III, Jacob Trujillo,  
Pedro P. Trujillo, Eph-  
raim Valencia, Shirley  
Whitley.

**CASIAS DITCH  
PRIORITY**

1886

**Defendants:** Pedro P.  
Trujillo.

**ELLILANO DITCH  
PRIORITY**

1874

**Defendants:** Patricia  
Alarid, Tommy Alarid,  
Manuelita Archuleta,  
Tomas D. Archuleta,  
Amalia M. Baca Aquilino  
Baca, Bertha Baca, Do-  
loris Baca, Enriquez Ba-  
ca, Paul R. Baca, Ralph  
Baca, Glen Baker, Ken-  
neth Bowman, Erlinda  
Casados, Robert Casa-  
dos, Jerry Castillo, Mary  
W. Castillo, Abraham A.  
Chavez, Lena E. Cha-  
vez, Angel B. Collado,  
Esther J. Collado, Lena  
Cordova, Richard Dant,  
Beverly R. Garcia, Car-  
los A. Garcia, Danny J.  
Garcia, Flora Garcia,  
Jerry Garcia, Jose Luz  
Garcia, Lydia Garcia,  
Velma Garcia, Geraldine  
Martinez A/K/A Gera-  
ldine N. Valdez, Eliza J.  
Jaramillo, Leo Jaramillo,  
Betty Jolly, James P. Jol-  
ly, John Jolly, Sheila Jol-  
ly, Benjamin Leyba, Da-  
vid Leyba, Dorothy Ley-  
ba, Gilbert Leyba, Hor-  
ace Leyba, Leopoldo  
Leyba, Louise M. Leyba,  
Victoria G. Lopez Este-  
ma Madrid Juanito, Rey-  
nold Madrid David Man-  
uel Maes, Fermin Maes,  
Joseph M. Maes, Juanito  
B. Maes Jr., Tomas  
Maes, Antonio M. Maes-  
tas, Marcia H. Maestas,  
Mike Maestas, Frances  
Manning, Jerry C. Man-  
ning, Adan Martinez,  
Adela Martinez, Albert  
Martinez, Celine Marti-  
nez, Creolinda M. Marti-  
nez, Eduvigen Martinez,  
Eraldo Martinez, Eugene  
Martinez, Irene B. Marti-  
nez, Isabel Martinez,  
Jose Lorenzo Martinez  
Jr., Jose Melisendo  
Martinez, Leonor Marti-  
nez, Loyda Martinez, Lu-  
crecia V. Martinez, Mar-  
tin Martinez, Mary Marti-  
nez, Max Martinez, Mel-  
isendo Martinez, Stella  
Martinez, Chris Montano,  
Maria Celine Montano,  
Johnny D. Montoya, Jua-  
nita Montoya, Henrietta  
Morales, Moises Morales  
Jr., Livia Olguin, Carole  
J. Otero, Dorothy Rivera,  
Ernestina V. Rivera, Leo  
E. Rivera, Vickie Marti-  
nez Rodela, Phoebe M.  
Romero, Juanita Sala-  
zar, Sabino Salazar,  
Amos Ray Sanchez, Le-

na Sanchez, Philip T.  
Sanchez, Richard L.  
Sanchez, Yolanda San-  
chez, Nickiann Scheur-  
water, William N.  
Scheurwater, Sandra C.  
Serrano, Allen Silver-  
stein, Ben Torres, Fel-  
mon A. Torres, Helen G.  
Torres, Isabel Torres,  
Luis Torres, Alfredo J.  
Trujillo, Belarmino Truji-  
llo, Carmelita R. Trujillo,  
Jacob Trujillo, Mae C.  
Trujillo, Pedro P. Trujillo,  
Theresita M. Trujillo,  
United States of Ameri-  
ca, Adriano G. Valdez,  
Adriano S. Valdez, An-  
drew Valdez, Belinda M.  
Valdez, Delia C. Valdez,  
Demecia Valdez, Gre-  
gorio Valdez, Joseph S.  
Valdez, Valeria M. Val-  
dez, Ephraim Valencia,  
Sharon K. Velarde, Go-  
misindo Velasquez, Phil  
Velasquez, Felima Viar-  
real, Atopha Vigil, Emilia  
Vigil, Norman D. Vigil,  
Rosalie E. Vigil.

**BRAZITO DITCH**

**PRIORITY**

1888

**Defendants:** Amalia  
M. Baca, Paul R. Baca,  
Kenneth Bowman, Erlin-  
da Casados, Robert Ca-  
sados, Jean Childers, Bill  
Davis, James S. Findley,  
Muriel T. Findley, Kurt  
Gramoll, Betty Jolly,  
James P. Jolly, John Jol-  
ly, Sheila Jolly, Alex Ley-  
ba, Leopoldo Leyba, Ma-  
ria F. M. Leyba, Reyna  
Leyba, Frances Man-  
ning, Jerry C. Manning,  
Adriana Martinez, Cipri-  
ana M. Martinez, Dorothy  
Martinez, Egripino Marti-  
nez, Jamie Martinez, Al-  
fredo Montoya Jr.,  
Louise O. Montoya, Fer-  
nando S. Romo, Adriaño  
G. Valdez, Norman D.  
Vigil, Rosalie E. Vigil,  
Jackie Wagner.



**OTRA VANDA DITCH**  
**PRIORITY**  
**1874**

**Defendants:** Jerry Castillo, Mary W. Castillo, Jerry Garcia, Lydia Garcia, Geraldine Martinez a/k/a Geraldine N. Valdez, Jolly Family Trust, Jose Modesto Madrid, Max Marquez, Albert Martinez, Angela D. Martinez, Donald Martinez, Irene B. Martinez, Jonathan Martinez, Max David Martinez, Ross A. Martinez Jr., Gusman F. Montano, Mary Lou Montano, Henrietta Morales, Moises Morales Jr., Ernestina V. Rivera, Leo E. Rivera, Sabino Rivera, John J. Serrano, Pedro P. Trujillo, Adriano G. Valdez, Amarante Valdez, Antonio Valdez, Patrick Valdez, Reyes Valdez, Valeria M. Valdez, Ephraim Valencia, Armando Vigil, Frances Vigil, Chester O. Weaver.

**VALDEZ DITCH**  
**PRIORITY**  
**1884**

**Defendants:** Amarante Valdez, Reyes Valdez.

**RIVERA DITCH NO. 1**  
**PRIORITY**  
**1884**

**Defendants:** Ernestina V. Rivera, Leo E. Rivera.

**RIVERA DITCH NO. 2**  
**PRIORITY**  
**1884**

**Defendants:** Max Marquez, Ernestina V. Rivera, Leo E. Rivera.

**ACEQUIA EL PINABETAL**  
**PRIORITY**  
**1884**

**Defendants:** Miguel E. González, Carla Martínez, Jake Martínez, Lorraine S. Martínez, Melissa Martínez, Onesimo Martínez, Ray Martínez, Ronald A. Martínez, Tony M. Martínez, Vangie Martínez, Joseph G. Medina, Gusman F. Montano, Mary Lou Montano, Octaviano Montano Jr., Moises Morales Jr., John J. Serrano, Samuel S. Serrano, William H. Storey III.

**ACEQUIA DEL ORILLA**  
**PRIORITY**  
**1871**

**Defendants:** Richard Dant, Danny J. Garcia, Velma Garcia, Angelina G. Martinez, Juan C. Martinez, Longina O. Martinez, Agripina Salazar, Victor Salazar, Theresa M. Trujillo, Karla B. Vigil, Lawrence Vigil, Vicente Vigil.

**GARCIA DITCH NO. 1**  
**PRIORITY**  
**1871**

**Defendants:** Grace G. Baker, James M. Baker, Danny J. Garcia, Velma Garcia, Florence Maestas, Richard Maestas, Angelina G. Martinez, Juan C. Martinez, Longina O. Martinez, Agripina Salazar, Victor Salazar, Karla B. Vigil, Lawrence Vigil, Vicente Vigil.

**GARCIA DITCH NO. 2**  
**PRIORITY**  
**1892**

**Defendants:** Abelardo E. Garcia, Geraldine E. Garcia, Jacob Trujillo.

**DITCH**  
**PRIORITY**  
**1871**

**Defendants:** Angelina G. Martinez, Agripina Salazar, Victor Salazar, Karla B. Vigil, Vicente Vigil.

**SALAZAR DITCH**  
**PRIORITY**  
**1871**

**Defendants:** Angelina G. Martinez.

**LEYBA DITCH**  
**PRIORITY**  
**1882**

**Defendants:** Benjamin Leyba, David Leyba, Horace Leyba.

**A.E. GARCIA DITCH**  
**PRIORITY**  
**1900**

**Defendants:** Abelardo E. Garcia, Geraldine E. Garcia.

**RUMALDITA MARTINEZ/A.A. GARCIA DITCH**  
**PRIORITY**  
**1882**

**Defendants:** Abran Augustine Garcia, Theodore C. Lobato, Adela Martinez, Eraldo Martinez, Norman D. Vigil, Rubina Vigil, Wayne A. Vigil.

You are hereby notified that the Court has entered an order requiring you to file an objection with the Court if you disagree with the State's proposed determination of the priority date of your water rights, or the proposed priority date of the water rights for any other defendant using surface or underground water for irrigation purposes in Canjilon Creek Subsection of Section 3 of the Rio Chama Stream System ("Canjilon Subsection"). These priority dates described above will apply to all individual irrigation water rights served by the ditches listed, unless you or other persons file objections.

In addition, you are hereby notified that the Court has entered an order requiring you to file an objection with the Court if you disagree with the State's proposed determination of the irrigation water requirements for surface water irrigation use in the Canjilon Subsection as described below:

- The weighted consumptive irrigation requirement (CIR) is 1.16 acre-feet per acre per annum.
- The farm delivery requirement (FDR) is 2.90 acre-feet per acre per annum.
- The project diversion requirement (PDR) is 4.83 acre-feet per acre per annum.

The term "Consumptive Irrigation Requirement" (CIR) refers to the quantity of water, expressed in acre-feet per year, exclusive of effective precipitation, that is consumptively used by plants or is evaporated from the soil surface during one calendar year. The term "Farm Delivery Requirement" (FDR) refers to the quantity of water expressed in acre-feet per acre per year, exclusive of effective precipitation, delivered to the farm headgate or which is diverted from a source of water which originates on the farm itself,

such as a well or spring, necessary to satisfy the consumptive irrigation requirements of crops grown on a farm in one calendar year. The term "Project Diversion Requirement" (PDR) refers to the quantity of water expressed in acre-feet per acre per year, exclusive of effective precipitation, which is diverted from the stream or an off-farm source to satisfy the farm delivery requirement for one calendar year.

The irrigation water requirements set forth above do not include diversion requirements associated with stockpounds or other impoundments determined to have valid water rights in these proceedings.

You are hereby notified that you are required to file an objection with the Court if you disagree with the State's proposed determination of the priority date or irrigation water requirements for your water rights, or the priority date or irrigation water requirements for any other water rights, for irrigated lands in the Canjilon Subsection.

If you agree with the priority dates and irrigation water requirements described above, you do not need to take any action. If objections are filed by any persons, you will be notified of the objections and may participate in the proceedings to resolve those objections. If no objections are filed, the Court will enter an order that recognizes those elements of your water rights and the water rights of other surface water users in the Canjilon Subsection as described above. If you disagree, you must follow the instructions below.

In the absence of any objections, you will have no other opportunity in these proceedings to object to the determination of priority dates or irrigation water requirements in the Canjilon Subsection, and subsequent inter se proceedings in the Canjilon Subsection will not include the opportunity to object to those determinations.

In cases where defendants in the Canjilon Subsection have previously agreed with the State on the priority dates for their water rights or the irrigation water requirements for their water rights, and those priority dates or irrigation water requirements have been incorporated into subfile orders entered by the Court, those priority dates or irrigation water requirements cannot be challenged by those defendants. Other persons with standing may however file objections.

IT IS THEREFORE ORDERED THAT if you object to any of the priority dates stated above, or the irrigation water requirements for surface water irrigation use in the Canjilon Subsection as stated above, you must file your Objection with the Court, in person or by mail, FOR RECEIPT NO LATER THAN AUGUST 29, 2014 to:

United States District Court Clerk  
333 Lomas Blvd. NW,  
Suite 270

Albuquerque, NM 87102  
If you timely file an objection, the Court will notify you of a mandatory scheduling and pretrial conference, where you will learn how objections will be heard by the Court. This will be your only opportunity to object to these elements of your water rights or any other water rights in the Canjilon Subsection. If you fail to timely object you may not raise objections in the future.

If you have any questions, call or write:

Jay Porten  
Litigation & Adjudication Program  
Office of the State Engineer  
P.O. Box 25102,  
Santa Fe, NM  
87504-5102  
(505) 827-4012  
telephone

or,  
John W. Utton  
Attorney for Asociacion de Acequias  
Nortenas de Rio Arriba  
Sheehan & Sheehan,  
P.A.

P.O. Box 271  
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(505) 842-8890 facsimile  
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